APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,703	07/02/2003	Thomas Gross	AUS920030435US1	4415

35525   7590   09/18/2008

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ART UNIT	PAPER NUMBER
2153	

NOTIFICATION DATE	DELIVERY MODE
09/18/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 June 2008*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-14,16-21 and 23-25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-14,16-21 and 23-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

This Office action is in response to Applicant's amendment and request for

reconsideration filed on June 02, 2008.

Claims 1-4, 6-14, 16-21 and 23-25 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 6, 8-10 11, 16, 18, 19, 20, 23 and 25 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Caulfield et al. (US 6,421,943) ("Caulfield"), in view of

Navarre et al. (US 6,205,482) ("Navarre"), in further view of Batra (US 6,105,067)

("Batra").

As per claim 1, Caulfield teaches a method receiving a request for access

decision information from an application (i.e. see col. 10, lines 30-33, wherein the "other

computer" that performs the background check, inherently has an application for

requesting access decision information from a local or remote database) wherein the

request identifies a plurality of entitlement information items for an entity and an identity

of the entity (see col. 10, lines 30-34, wherein the user information is transmitted to the other computer for purposes of retrieving criminal records (or possibly other relevant information) see col. 10, line 25-28, read as a plurality of entitlement information items, thus the request to the implied local or remote database must include some identifier for the criminal records (or possibly other relevant information), which are intended to be retrieved);

Forming a response, wherein the response includes the one or more entitlement information items (see col. 10, lines 30-34 wherein the other computer performs the background check inherently based in response to the retrieved information from the implied local or remote database);

and returning a response to the application, wherein the application is an access manager that is operatively coupled to a web server that receives entity requests from the entity across a network (see col. 10, lines 4-7 and col. 10, lines 30-34, wherein web server 200 is in communication with the other computer via a communications network and col. 10, lines 30-34 wherein the other computer performs the background check [based in response to the retrieved information from the implied local or remote database]) wherein the access manager includes a rules engine that is called by the access manager to evaluate rules based on credentials and entitlements of the entity in order to make informed entity-specific entitlement decisions regarding a service requested by the entity (see col. 10, lines 30-33, the "other computer" performs a background which indicates that the user may or may not purchase or operate a firearm).

Caulfield does not expressly teach determining a given entitlement information provider for each one of the plurality of entitlement information items to form a plurality of entitlement information providers, wherein the plurality of entitlement information providers are determined based on the plurality of entitlement information items identified in the request that is received.

Nevertheless, in the same art of retrieving entitlement information, Navarre teaches a plurality of information providers (i.e. Cook County server application, Du Page County server application, and Kane County server application) for storing government records including felony criminal records (see col. 3, lines 6—col. 4, line 42). Furthermore, Navarre teaches the acts of generating requests for entitlement information (i.e. criminal records) from each of the information providers (see col. 3, lines 25-40), based on information identified in a user request (see col. 3, lines 10-13, *"The tables 223 define the processing requirements of the client application's request and identify the data access transaction that must be executed to satisfy the request"*), and retrieving given entitlement information from each of the information providers (see col. 3, lines 41-45).

One of ordinary skill in the art would have been motivated to combine the teachings of Caulfield with the teachings of Navarre for accessing a plurality of information providers having access to entitlement information. The obvious motivation for doing so would have been to provide a more comprehensive background check of certain users of Caulfield's invention.

Navarre however is silent on wherein the step of retrieving the given entitlement
information item from each one of the plurality of entitlement information providers
includes generating a retrieval client for each one of the plurality of entitlement
information providers to form a plurality of retrieval clients, wherein each one of the
retrieval clients retrieves entitlement information from a given one of the plurality of
entitlement information providers that it is associated with.

However, as best understood, a "retrieval client" as meant by the applicant's
invention is simply a software thread that generates a request for each of the
information providers. Thus, in the same art of computer networking, Batra teaches an
application server that generates multiple "retrieval clients" (i.e. a software threads),
wherein each software thread has its own connection to a data server (see col. 7, lines
14-28).

One of ordinary skill in the art would have been motivated to combine the
teachings of Caulfield and Navarre with the teachings of Batra. The obvious motivation
for doing so would have been to reduce the overhead required for accessing data
servers and enabling the faster response time for responding to a user's request (see
Batra, col. 1, lines 10-19).

As per claim 2 Caulfield further teach retrieving given entitlement information
item in a local storage (see col. 10. lines 25-32, wherein the criminal records information
may be stored locally).

As per claim 6, the combination of Caulfield, Navarre and Batra teaches the invention substantially as claimed as noted above. Furthermore, Batra in view of Navarre teaches wherein each of the retrieval clients generates a protocol module to form a plurality of protocol modules (see Batra col. 7, lines 5-28, wherein the threads generate messages for fulfilling a use's request, also note in Navarre col. 3, lines 10-15, that each of the messages delivered to the server application are configured according to a certain format, read as protocol), and wherein each one of the protocol modules retrieves entitlement information from a given one of the entitlement information providers that it is associated with using a provider specific protocol that is compatible with the given one of the entitlement information providers (see Navarre, col. 3, lines 25-59, wherein the protocol modules (i.e. request messages) retrieves certain information from the information providers, including criminal record information see col. 3, lines 60-col. 4, line 17, read as entitlement information).

The same motivation used for combining Caulfield, Navarre and Batra in claim 3, applies equally well to claim 6.

As per claim 8 the combination of Caulfield, Navarre and Batra teaches the invention substantially as claimed as noted above. Furthermore, Navarre teaches a dynamic information retrieval server data processing system (see Fig. 2, ref. 420). Furthermore, Batra teaches starting a session for an entity (see col. 7, lines 25-27, wherein the receiving of a client request implies the starting of a session) wherein the session generates the plurality of retrieval clients (i.e. software threads) which retrieve

the entitlement information and return the retrieved entitlement information (also see

col. 7, lines 25-30, wherein the client request may need to establish a connection (i.e.

generating a thread) for accessing various data servers including a relational database,

a messaging service, ect.).

The same motivation used for combining Caulfield, Navarre and Batra in claim 3,

applies equally well to claim 8.

As per claim 9, the combination of Caulfield, Navarre and Batra teaches the

invention substantially as claimed as noted above. Furthermore, Navarre teaches a

rules engine that specifies how data is to be extracted from the response that is

returned to the application (see col. 3, lines 50-53, "the response integration routine 226

sorts and merges the received information using the rules defined for processing the

request").

The same motivation used for combining Caulfield, Navarre and Batra in claim 3,

applies equally well to claim 9.

As per claim 10, Caulfield teaches wherein the entity is a user, and wherein the

user contacts to the web server to obtain a service therefrom (Caulfield, see, col. 9, line

65-col. 10, line 45).

Claims 11, 16, 18, 19, 20, 23 and 25 are rejected under the same rationale as

claims 1, 2, 6 and 8-10 since they recite substantially identical subject matter. Any

differences between the claims do not result in patentably distinct claims and all of the

limitations are taught by the above cited art.

Claims 3, 12-13 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Caulfield et al. (US 6,421,943) ("Caulfield"), in view of Navarre et al. (US

6,205,482) ("Navarre"), in view of Batra (US 6,105,067) ("Batra"), in further view of

Lau (US 2002/0133537) ("Lau").

As per claim 3, Caulfield does not expressly teach identifying a cached entitlement

information item within the plurality of entitlement information items; and retrieving the

cached entitlement information item from a local storage.

However, caching techniques were well known in the art of computer networking. For

example, Lau teaches a server including a cache for temporarily storing information that

will be available for future client requests (see abstract and ¶0032).

One of skill in the art would have been motivated to cache entitlement information at the

"other computer" in the teachings of Caulfield (see col. 10, lines 25-35). The motivation

for doing so would have been to reduce future latency in retrieving requested

entitlement information.

Claims 12-13 and 21 are rejected under the same rationale as claim 3 since they recite

substantially identical subject matter. Any differences between the claims do not result

in patentably distinct claims and all of the limitations are taught by the above cited art.

Claims 4, 14, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Caulfield et al. (US 6,421,943) ("Caulfield"), in view of Navarre et al. (US

6,205,482) ("Navarre"), in view of Batra (US 6,105,067) ("Batra"), in further view of

Lau (US 2002/0133537) ("Lau"), in further view of Zhu et al. (US 6928526) ("Zhu").

As per claims 4, 14, and 24, the combiantion of Caulfield, Navarre, Batra and Lau

does not expressly teach wherein the cached entitlement information is in the form of a

container.

However, in the same art of data caching, Zhu teaches an efficient data storage

system using container data structures (see receiving container, and segment

container, Fig. 2, and col. 8, lines 48-57).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the teachings of Caulfield, Navarre and Batra with the teachings of

Zhu for storing the entitlement information in the form of a container, in order to improve

organization of the entitlement information and improve efficiency in retrieving the

entitlement information.

Claims 7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Caulfield et al. (US 6,421,943) ("Caulfield"), in view of Navarre et al. (US 6,205,482)

("Navarre"), in view of Batra (US 6,105,067) ("Batra"), in further view of Zhu et al.

(US 6928526) ("Zhu").

As per claims 7 and 17, the combination of Caulfield, Navarre and Batra teaches the invention substantially as claimed as noted above. Furthermore, Navarre teaches placing the entitlement information in a common message format, see col. 3, lines 44-45, however, Navarre does not expressly teach wherein the entitlement information is in the form of a container.

However, in the same art of data caching, Zhu teaches an efficient data storage system using container data structures (see receiving container, and segment container, Fig. 2, and col. 8, lines 48-57).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Caulfield, Navarre and Batra with the teachings of Zhu for storing the entitlement information in the form of a container, in order to improve organization of the entitlement information and improve efficiency in retrieving the entitlement information.

Response to Arguments

Applicant's arguments with respect to claims 1-4, 6-14, 16-21, and 23-25 have been considered but are moot in view of the new ground(s) of rejection.

Furthermore, although moot in view of the new ground(s) of rejection, it is noted that with respect to applicant's arguments regarding claim 6:

> Thus, when Claim 6 is viewed in combination with Claim 1 (as Claim 6 depends upon Claim 1), a retrieval client is generated for each one of the plurality of entitlement information providers, and these generated retrieval clients

themselves generate a protocol module. Thus, there is a two-phased approach to achieving the protocol module generation - first there is the generation of a retrieval client, where this generated retrieval client then generates the protocol module, somewhat akin to a grandparent/parent/child process where a grandparent generates a child who later generates their own child. It is urged that none of the cited references teach or suggest such tiered/hierarchical generation of protocol modules.

Claim 6, does not recite a tiered/hierarchical generation of protocol modules, nor does the applicant's specification describe a two-phased approach to achieving the protocol module generation, nor does the applicant's specification describe a protocol module as being a grandparent/parent/child process where a grandparent generates a child who later generates their own child.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENDAN Y. HIGA whose telephone number is (571)272-5823. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BYH

/Ario Etienne/
Supervisory Patent Examiner, Art Unit 2157